

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ALTAGRACIA PEGUERO,)
Plaintiff,)
v.) Civil Action No. 05-10995-WGY
AMERICAN EXPRESS COMPANY)
and HEALTHEXTRAS, INC.,)
Defendants.)

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), all parties in the above-captioned action stipulate that the action be and hereby is dismissed with prejudice, without costs to any party and waiving all rights of appeal.

ALTAGRACIA PEGUERO,

HEALTHEXTRAS, INC.

By her attorney,

By its attorney,

/s/ Kevin Donius

/s/ Donald R. Pinto, Jr.

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/s/ Donald R. Pinto, Jr.
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AMERICAN EXPRESS COMPANY,

By its attorney,

/s/ John F. Farraher

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this date.

/s/ Donald R. Pinto, Jr.

Donald R. Pinto, Jr.

Dated: October 22, 2007